

Deficiency Status Report 5

Status Report Submitted: October 17, 2007

CUPA Name: Sutter County Environmental Health

Evaluation Date: July 26 and 27, 2006

Next Status Report Due: October 22, 2007

State Evaluation Team:

Cal/EPA Team Leader: Kareem Taylor

DTSC Evaluator: Mark Pear

OES Evaluator: Jack Harrah

Based on the CUPA's corrective action responses, the following deficiencies are considered corrected and no further updates are required:
1, 2, 3, 4, 6, 8, 10, 11

Remaining Deficiencies and Corrective Actions

2. **Deficiency:** The CUPA is not implementing and updating their Inspection and Enforcement Plan as mandated by law. Example of this include:

(a) CUPA is not meeting inspections frequencies.

(b) CUPA is not implementing Enforcement Plan.

CUPA's 3rd Status Update: (a) Corrected. See attached list of businesses inspected.

(b) Inspection and Enforcement Plan draft is under review.

Cal/EPA's 3rd Response: Submit the CUPA's final inspection and enforcement plan via email along with the next status report. A submittal of the final inspection and enforcement plan will correct this deficiency.

CUPA's 4th Status Update: Corrected. See attach copy of Inspection and Enforcement Plan. Business plan facilities list will be faxed to your office soon.

Cal/EPA's 4th Response: Due to the corrective action update, Cal/EPA considers this deficiency corrected.

4. **Deficiency:** CUPA has not met the inspection frequency for the Business Plan Program.

CUPA's 3rd Status Update: Corrected. Please see attached list of businesses inspected.

Cal/EPA's 3rd Response: Cal/EPA does not consider this deficiency corrected. The CUPA inspected 127 out of 483 (26%) business plan facilities so far for FY 06/07. The CUPA has made positive strides toward meeting the mandated business plan inspection frequency; however, Cal/EPA would like to see one-third of its business plan facilities inspected by the end of FY 06/07. That is approximately 37 more facilities. On the next status report, update Cal/EPA on the status of this deficiency.

CUPA's 4th Status Update: Corrected. The CUPA inspected 209 facilities for FY 06/07. List of facilities inspected will be faxed to your office.

Cal/EPA's 4th Response: Due to the corrective action update, Cal/EPA considers this deficiency corrected.

5. **Deficiency:** CUPA has not met the inspection frequency for the CalARP program.

CUPA's 3rd Status Update: Corrected. CUPA made joint inspections with US EPA in December for two businesses: (a) Bear River Supply, Rio Oso., and (b) Agriform. Pleasant Grove.

Cal/EPA's 3rd Response: Cal/EPA does not consider this deficiency corrected; however, the CUPA has made positive strides to begin its CalARP program by inspecting 2 facilities. Cal/EPA would like to see 2 more CalARP facilities inspected for FY 06/07. On the next status report, update Cal/EPA on the status of this deficiency.

CUPA's 4th Status Update: One more CalARP facility inspected (Helena Chemical, Colusa Hwy., Yuba City). Total number of 3 CalARP facilities inspected for FY 06/07.

Cal/EPA's 4th Response: The CUPA inspected 3 out of 11 (27%) CalARP facilities in FY 06/07. Good Job! Cal/EPA and OES would like to see one more facility inspected before this deficiency can be considered corrected.

CUPA's 5th Status Update: One more CalARP facility inspected was John Taylor Fertilizer, 900 N. George Washington Blvd., Yuba City.

7. **Deficiency:** CUPA's area plan has not been revised in the past three years.

CUPA's 3rd Status Update: CUPA will apply for the grant from OES in the fall of 2007. Once grant funding is obtained, the CUPA will initiate work to develop the Area Plan.

Cal/EPA's 3rd Response: On the next status report, update Cal/EPA on the status of this deficiency.

CUPA's 4th Status Update: CUPA has applied for area plan grant from OES last month.

Cal/EPA's 4th Response: On the next status report, update Cal/EPA on the status of this deficiency.

CUPA's 5th Status Update: CUPA has received HMEP Grant approval letter from OES. The consultant will be hired within next few weeks to prepare Area Plan.

8. **Deficiency:** CUPA has not ensured that inventories or annual inventory certifications are current.

CUPA's 3rd Status Update: Corrected. On 1/29/07 the Cal/EPA representative reviewed several business records and found all to have either current inventories or certifications of no-change forms.

Cal/EPA's 3rd Response: Cal/EPA considers this deficiency corrected.

9. **Deficiency:** CUPA is not obtaining business plans from all businesses subject to the business plan program. Specifically, many agricultural handlers are not being regulated under the business plan program.

CUPA's 3rd Status Update: CUPA has obtained business plans from all businesses per our knowledge. Staff from Agricultural Commissioner's Office has started notifying the farmers about the business plan program during growers meetings and during headquarter inspections for pesticides.

Cal/EPA's 3rd Response: Refer to OES's response.

OES Wrote: On the next status report, report how many agricultural handlers have been contacted, how many need to be contacted, and how many are required to be included into the business plan program.

CUPA's 4th Status Update: Total number of agricultural handlers on business plan inventory list is 152.

Cal/EPA's 4th Response: Refer to OES's response.

OES Wrote: Getting an inventory of farms is a good start on correcting this deficiency. On the next status report, the CUPA should report their progress on:

- Contacting farm businesses.
- Evaluating farms to verify whether or not they need to file a business plan.
- How many business plans have been requested and actually received.

CUPA's 5th Status Update: We have not added any farm business on our inventory yet. But we will continue to work on correcting this deficiency.

10. Deficiency: CUPA is not meeting hazardous waste generator inspection frequencies.

CUPA's 3rd Status Update: Corrected. Please see attached list of businesses inspected.

Cal/EPA's 3rd Response: The CUPA inspected 57 out of 128 (44%) of its hazardous waste generator facilities in FY 06/07. Good job! Cal/EPA considers this deficiency corrected.

11. Deficiency: CUPA did not conduct a complete oversight inspection.

CUPA's 3rd Status Update: Corrected.

Cal/EPA's 3rd Response: Cal/EPA considers this deficiency corrected.